



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
9316 North 107th Street
Milwaukee, Wisconsin 53224-1121
TTY: Contact Through Relay
Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 57
Comm #: 53151-1639-01-A
BRRTS #: 03-68-003288
Site Name: Super America Station #4230
Site Address: 14001 W Greenfield Ave, New Berlin, 53151
Site Manager: Dave Volkert
Address: 141 NW Barstow St, Rm 180
City, State Zip: Waukesha, WI 53188-3789
Phone: 262-574-2166
e-mail: david.volkert@wisconsin.gov
Bid Manager: Greg Michael
Address: 9316 North 107TH Street
City, State Zip: Milwaukee, Wisconsin 53224-1121
Phone: (414) 357-4702
e-mail: Greg.Michael@Wisconsin.Gov

Bid-Start Date:	October 13, 2008
Questions must be received by (See Section 2 (B)):	October 27, 2008, 4:00 PM
Responses will be posted by (See Section 2 (B)):	November 14, 2008
Bid-End Date and Time:	November 28, 2008, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Fed Ex Kinkos-Milwaukee, 1703 N Farwell Ave, Milwaukee, WI 53202
Phone: (414) 272-2679 Fax: (414) 272-5329

SECTION 2 – Site-Specific Bid Requirements

General Comments

The site is an operating gasoline station. The WDNR was notified of a release at the site in 1993 when petroleum impacted soil was discovered during the upgrade of the UST system piping. The three USTs present at the site were installed in 1980. They include one 12,000-gallon and two 8,000-gallon USTs containing unleaded gasoline.

Soils at the site consist of silty clay interbedded with sandy silt and sandy gravel. Groundwater at the site is found 5 to 9 feet below ground surface. Groundwater flow has been to the south or southeast.

Free product has consistently been present in monitoring well MW-2. In the past, free product removal has been completed with absorbent socks and by bailing. The last time groundwater levels were measured at the site was in October 2007 and MW-2 reportedly did not contain free product. In that last sampling event, the water table was at its highest elevation since May of 1998, which is the probably why free product was absent.

The case file may be reviewed at the DNR office in the Lee Sherman Dreyfus State Office Building, 141 NW Barstow Street, Waukesha, Wisconsin by contacting the Customer Service Staff at (262) 574-2100.

Minimum Remedial Requirements

The following tasks must be completed for this phase of work:

- Check to see if there any water supply wells within 1000 feet of the site.
- Additional sampling is required for LNAPL assessment. Advance and sample a soil boring to collect samples for quantitative sieve and hydrometer testing. The boring should be advanced approximately 5 feet from MW-2. The soil samples should be collected from the smear zone, which based on historic water table measurements, is from 7 to 11 feet in the area of monitoring well MW-2. Soil samples should be collected from each stratigraphic unit within the smear zone. For bidding purposes, assume that three samples will have to be collected. This is based on the boring log from MW-2.
- Sample monitoring wells MW-1, MW-2, MW-3, MW-6 and MW-7 for PVOCs, if free product is present then measure thickness of product and sample water from below the product. Measure groundwater levels in all monitoring wells. Prepare a groundwater flow map from water table elevations measured during the groundwater-monitoring event. All groundwater analytical data are to be tabulated and the newly acquired groundwater analytical data must be compiled with the historic groundwater analytical data.
- Evaluate whether utility lines entering the site serve as a contamination migration pathway. In the past, monitoring well MW-1 has contained significant concentrations of PVOCs and is only 45 feet upgradient from MW-6, which has been essentially "clean". The sanitary sewer and natural gas line serving the site are present between the two monitoring wells. Obtain information (depth, slope, backfill material, etc.) regarding the utilities from the appropriate utility operator. Compare groundwater depths to utility depths to evaluate whether the utilities at the site provide a pathway for contamination migration off-site. Prepare a cross section illustrating site conditions.

- The site map has been updated, but a comparison between former and the updated site map noted differences in the placement of monitoring wells. A survey of monitoring well locations is required. Construct an updated site map.
- All monitoring well purge water and soil cuttings generated during groundwater and soil sampling must be properly managed and disposed of before the completion of this SOW.
- Upon completion of the above-noted work, submit a report documenting the additional work completed with recommendations for additional investigative or remedial work, or closure. A cost estimate for completing the recommended work should be included. The report should contain all supporting documentation including soil boring logs, laboratory reports, etc.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Super America Station #4230

COMMERCE #: 53151-1639-01

BRRTS #: 03-68-003288

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE**(2nd Page)**

Department of Commerce PECFA Program

SITE NAME: Super America Station #4230**COMMERCE #: 53151-1639-01****BRRTS #: 03-68-003288****Consulting Firm Name:** _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Soil boring	\$
2	Soil sampling	\$
3	Groundwater sampling (per well)	\$
		X5
4	Groundwater monitoring total	\$
5	Utility evaluation (including documentation)	\$
6	Reporting and or regulatory correspondence	\$
7	PECFA Claim Preparation	\$
8	Total Bid Amount	\$
CONTINGENCY COSTS (Will be Approved and Added to the Bid Cap as Needed)		
•	Closure Report, GIS packet	\$